

04/05/01
1c803 U.S. PTO

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Attorney Docket No.: 039179.01

Date: April 5, 2001

1c821 U.S. PTO
09/826207
04/05/01

Customer Number: 25944

BOX PATENT APPLICATION

**CONTINUING APPLICATION TRANSMITTAL
RULE 1.53(b)**

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a

☐ Continuation ☒ Divisional ☐ Continuation-in-Part

application of prior pending Application No. 08/765,199, filed February 10, 1997.

For (Title): THERAPEUTIC DEVICE FOR THE SELECTIVE CYTOREDUCTION TREATMENT
OF AN OBSTRUCTION IN A NATURAL LUMEN OR PASSAGE OF THE HUMAN
OR ANIMAL BODY

By (Inventors): Marian DEVONEC

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
- ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
 - ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee is calculated below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW**

| FOR: | NO. FILED | NO. EXTRA |
|--|-----------|-----------|
| BASIC FEE | | |
| TOTAL CLAIMS | 104 - 20 | = *84 |
| INDEP CLAIMS | 8 - 3 | = * 5 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | |

* If the difference is less than zero, enter "0".

SMALL ENTITY

| RATE | FEE |
|--------|--------|
| | \$ 355 |
| x 9 = | \$ |
| x 40 = | \$ |
| +135 = | \$ |
| TOTAL | \$ |

OR
OR
OR
OR
OR
OR

**OTHER THAN A
SMALL ENTITY**

| RATE | FEE |
|-------|--------|
| | \$ 710 |
| x 18 | \$1512 |
| x 80 | \$ 400 |
| +270 | \$ |
| TOTAL | \$2622 |

3. ☒ Check No. 117873 in the amount of \$2,622.00 to cover the filing fee is attached. The Director is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.
4. ☐ Cancel claims _____ of the application before calculating the filing fee. At least one independent claim is retained for filing purposes.

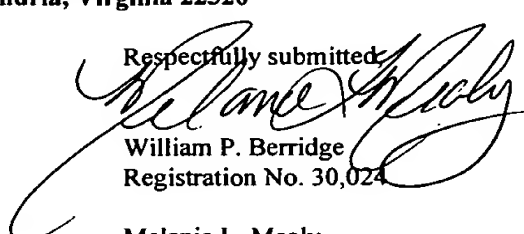
**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461

5. ☒ Amend the specification by inserting before the first line the sentence:
--This is a ☐ Continuation ☒ Division ☐ Continuation-in-Part of Application No. 08/765,199 filed February 10, 1997 (U.S. National Stage of PCT/FR95/00869, filed June 29, 1995), pending. The entire disclosure of the prior application is hereby incorporated by reference herein in its entirety.--
6. ☒ Formal drawings (Figs. 1-27) are attached.
☐ Use Figure _____ for front page of Publication.
7. ☒ Priority of foreign application No. 94 08933 filed July 13, 1994, in France is claimed under 35 U.S.C. §119 and/or §365(b).
☒ The certified copy was received in National Stage Application No. 08/765,199 from the International Bureau.
☐ A certified copy of the above foreign application(s) is filed herewith.
8. ☐ Priority of U.S. Provisional Application(s) No. _____ filed _____ is claimed under 35 U.S.C. §119.
☐ Amend the specification by inserting before the first line the sentence:
--This nonprovisional application claims the benefit of U.S. Provisional Application(s) No. _____ filed _____--
9. ☐ The prior application is assigned of record to _____ recorded at Reel _____, Frame _____.
10. ☐ This application is filed by fewer than all the inventors named in the prior application (37 C.F.R. §1.53(b)(1)). Delete the following inventor(s) named in the prior application:

11. ☒ A Preliminary Amendment is attached. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the application.
12. ☒ An Information Disclosure Statement is attached.
13. ☒ Small entity status:
☐ a. Entitlement to small entity status is asserted.
☒ b. Small entity status is no longer claimed.
14. ☐ Other: _____
15. ☐ This application is NOT to be published under 35 U.S.C. 112(b). The undersigned attorney or agent hereby certifies that the invention disclosed in this application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
16. ☒ The power of attorney in the application is to James A. Oliff, Registration No. 27,075, William P. Berridge, Registration No. 30,024, Kirk M. Hudson, Registration No. 27,562, Thomas J. Pardini, Registration No. 30,411, Edward P. Walker, Registration No. 31,450, Robert A. Miller, Registration No. 32,771, Mario A. Costantino, Registration No. 33,565, Stephen J. Roe, Registration No. 34,463, Joel S. Armstrong, Registration No. 36,430, Christopher W. Brown, Registration No. 38,025, and/or Richard E. Rice, Registration No. 31,560.
☒ a. The power appears in the attached Declaration and Power of Attorney.
☐ b. Since the power does not appear in the attached Declaration and Power of Attorney, a substitute Power of Attorney is also attached.
17. ☒ Address all future communications to:

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Respectfully submitted,


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WPB:MLM/jca